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IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

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JOHN DONOHUE,	
Plaintiff,	Case No. 7:11CV00090
v.)) <u>FINAL ORDER</u>
HARRIS L. DIGGS, <u>ET</u> <u>AL</u> .,) By: Glen E. Conrad Chief United States District Judge
Defendants.)

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that this civil action is **DISMISSED** without prejudice, based on the court's finding that plaintiff's claims under 42 U.S.C. § 1983 are legally frivolous, pursuant to 28 U.S.C. § 1915A(b)(1), and that supplemental jurisdiction over any state law claims is declined, pursuant to 28 U.S.C. § 1367(c); plaintiff's request to proceed in forma pauperis in filing this action (Dkt. No. 2) is **DISMISSED** as moot; and this action is stricken from the active docket of the court.

The clerk will send a copy of this final order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 1st day of March, 2011.

Chief United States District Judge

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